(Ireland.)

CARLTON CLUB

A

BILL

For rendering more easy the taking the Polls at County Elections in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

Preamble.

WHEREAS it is expedient to amend the Laws for regulating the taking of Polls at the Election of Members to serve in Parliament for Counties in Ireland, by assimilating the same to the Laws for regulating the taking of Polls at the Election of Members to serve in Parliament for Counties in England; BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT the Poll for the Election of Knights of the Shire shall be taken at such places as in the Schedule to this Act annexed are mentioned, in conjunction with the names of the Counties in which such places are respectively situated.

1. County Polling-places shall be such as are mentioned in Schedule to this Act annexed.

And be it Enacted, That the Justices of the Peace for every county in Ireland assembled at the Quarter Sessions to be holden in the month of *October* in the present year, or at some Special Sessions to be appointed by them so assembled as aforesaid, which shall be holden on or before the last day of *October* in the present year, shall divide their respective counties into convenient Districts for Polling, and shall assign One of such Districts to every Polling-place mentioned in the said Schedule to this Act annexed;

2. Polling Districts for Counties to be settled by Justices.

 and

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and that a List, describing the Districts named in every such assignment, and naming the Polling-places to which such Districts are respectively assigned, shall be lodged with the Clerk of the Peace of the county, who shall forthwith cause copies of such list to be printed, and posted in some conspicuous places in the said county, and shall deliver a copy of such list to every person who shall apply for the same, upon payment of *One* Shilling for each copy, and shall allow such list or a copy thereof to be inspected at his office at all reasonable times without fee or reward.

List to be printed and posted.

3. Expenses of printing Lists, &c. to be defrayed by the County.

And be it Enacted, That the expenses of printing the lists and postings hereby directed shall be defrayed by the Clerk of the Peace in each such county respectively, and the Grand Jury of each such county are hereby required, at the next Assizes or Presenting Term after such lists shall have been printed and postings made, to present, to be levied off their respective counties in the same manner as other sums are authorized to be presented by such Grand Juries, all such sums as shall have been necessarily disbursed by such Clerks of the Peace respectively, which sums shall be paid to such Clerks of the Peace.

4. Commencement and continuance of Polls at County Elections.

And be it Enacted, That in every contested Election of a Knight or Knights to serve in any future Parliament for any county in Ireland, the Polling shall commence at *Nine* of the clock in the forenoon of the next day but two after the day fixed for the Election, unless such next day but two shall be Saturday or Sunday, and then on the Monday following, at the principal place of Election, and also at the several places by this Act appointed for taking Polls; and such Polling shall continue for *Two* Days only, such *Two* Days being successive days; (that is to say) for *Seven* Hours on the first day of Polling, and for *Eight* Hours on the second day of Polling; and no Poll shall be kept open later than *Four* of the clock in the afternoon of the second day; any statute to the contrary notwithstanding.

5. Booths to be erected at Polling-places.

And be it Enacted, That at every contested Election for any county in Ireland, the Sheriff or Sub-sheriff shall, if required thereto by or on behalf of any Candidate, on the day fixed for the Election, and if not so required, may, if it shall appear to him expedient, cause to be erected a reasonable number of Booths for taking the Poll at the principal place of Election, and also at each of the Polling-places appointed by this Act, and shall cause to be affixed on the most conspicuous part of each of the said booths the names of the several parishes, townlands and places for which such booth is respectively allotted; and no person shall be admitted to vote at any such Election in respect of any property situate in any parish,

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parish, townland or place, except at the booth so allotted for such parish, townland or place; and if no booth shall be so allotted for the same, then at any of the booths for the same district; and in case any parish, townland or place shall happen not to be included in any of the Districts to be appointed under the provisions of this Act, the votes in respect of property situate in any parish, townland or place so omitted shall be taken at the principal place of Election for the county.

Voter to poll in the District where his Property lies.

6.

Persons polling twice at the same Election guilty of a Misdemeanor.

And be it Enacted, That if any person shall vote twice at the same Election, or having already voted shall tender or offer his vote again at the same Election, such person shall be guilty of a Misdemeanor, and shall upon being convicted thereof before any *Two* Justices of the Peace of the county wherein such offence shall have been committed, be punishable with Imprisonment with hard labour for any period not exceeding *Six* calendar Months, at the discretion of such Justices.

7.

Provision as to Sheriff's Deputies, the custody of Poll-books, and final Declaration of the Poll.

And be it Enacted, That the Sheriff shall have power to appoint Deputies to preside and Clerks to take the Poll at the principal place of Election, and also at the several places appointed by this Act for taking the Poll for any county; and that the Poll Clerks employed at those several places shall at the close of each day's Poll enclose and seal their several books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff, Sub-sheriff, or Sheriff's Deputy presiding at such Poll, who shall give a receipt for the same, and shall on the commencement of the Poll on the second day deliver them back, so enclosed and sealed, to the persons from whom he shall have received them; and on the final close of the Poll, every such Deputy who shall have received any such Poll-books shall forthwith deliver or transmit the same, so enclosed and sealed, to the Sheriff or his Sub-sheriff, who shall receive and keep all the Poll-books unopened until the re-assembling of the Court held for the Election of Knights of the Shire on the day next but one after the close of the Poll, unless such next day but one shall be Sunday, and then on the Monday following, when he shall openly break the seals thereon, and cast up the number of votes as they appear on the said several books, and shall openly declare the state of the Poll, and shall make proclamation of the Member or Members chosen, not later than *Two* of the clock in the afternoon of the said day.

8.

Sheriff in County Elections may act in places of exclusive jurisdiction.

And be it Enacted, That in all matters relative to the Election of Knights or a Knight of the Shire to serve in any future Parliament for any county in Ireland, the Sheriff of the county, his Sub-sheriff, or any lawful Deputy of such Sheriff, shall have power to act in all places having any exclusive jurisdiction or privilege whatsoever

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soever in the same manner as such Sheriff, Sub-sheriff or Deputy may act within any part of such Sheriff's ordinary jurisdiction.

9. When Sheriff, &c. may close the Poll before the expiration of the time fixed.

And be it Enacted, That nothing in this Act contained shall prevent any Sheriff or his Deputy from closing the Poll previous to the expiration of the time fixed by this Act, in any case where the same might have been lawfully closed before the *passing of this Act*; and that where the proceedings at any Election shall be interrupted or obstructed by any riot or open violence, the Sheriff or his Deputy shall not for such cause finally close the Poll, but, in case the proceedings shall be so interrupted or obstructed at any particular Polling-place or places, shall adjourn the Poll at such place or places only until the following day, and, if necessary, shall further adjourn the same until such interruption or obstruction shall have ceased, when the Sheriff or his Deputy shall again proceed to take the Poll at such place or places; and any day whereon the Poll shall have been so adjourned shall not, as to such place or places, be reckoned one of the two days of Polling at such Election within the meaning of this Act; and wherever the Poll shall have been so adjourned by any Deputy of any Sheriff, such Deputy shall forthwith give notice of such adjournment to the Sheriff, who shall not finally declare the state of the Poll, or make proclamation of the Member or Members chosen until the Poll so adjourned at such place or places as aforesaid shall have been finally closed, and delivered or transmitted to such Sheriff; any thing herein contained to the contrary notwithstanding.

Adjournment of Poll in case of Riot.

10. Booths to be erected at joint Expense of Candidates.

And be it Enacted, That from and after the end of this present Parliament, all booths erected for the convenience of taking Polls under the provisions of this Act, shall be erected at the joint and equal expense of the several Candidates, and the same shall be erected by contract with the Candidates if they shall think fit to make such contract, or if they shall not make such contract, then the same shall be erected by the Sheriff or other Returning Officer at the expense of the several Candidates as aforesaid, subject to such limitation as is hereinafter next mentioned; (that is to say) that the expense to be incurred for the booth or booths to be erected at the principal place of Election for any county, or at any of the Polling-places appointed by this Act, shall not exceed the sum of Pounds in respect of any one such principal place of Election, or any one such Polling-place; and that all Deputies appointed by the Sheriff shall be paid each Guineas by the day, and all Clerks employed in taking the Poll shall be paid each Guineas by the day, at the expense of the Candidates at such Election: Provided always, That if any person shall be proposed without his consent, then the person so proposing him shall be liable

Limitation of Expenses.

Any person proposing a Candidate

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liable to defray his share of the said expenses in like manner as if he had been a Candidate: Provided also, That the Sheriff may, if he shall think fit, instead of erecting such booth or booths as aforesaid, procure or hire and use any houses or other buildings for the purpose of taking the Poll therein, subject always to the same regulations, provisions, liabilities and limitations of expense as are hereinbefore mentioned with regard to booths for taking the Poll.

without his consent, to defray his share of the expense of Booth, &c. Sheriff may hire, &c. Houses for Polling in instead of Booths.

11. Allowance to Sheriff for incidental Expenses.

And be it Enacted, That the Sheriff shall be entitled to be paid a sum not exceeding the sum of Pounds at every contested Election for any county in Ireland, for the expenses of the indentures, making proclamations, making the return, and of stationery, and all other incidental expenses, and that he shall not be entitled to any further or other sum; and the amount of such charges shall be paid by the Candidates, or the person or persons proposing them, in equal proportions, in like manner as is hereinbefore provided with respect to booths.

12. What Expenses are illegal.

AND whereas divers demands have been made upon Candidates at Elections of Members to serve in Parliament for Counties in Ireland, by Sheriffs, Sub-sheriffs, Clerks of the Peace and other persons, for money claimed to be due in respect of the employment of Assessors and other legal advisers, Sheriffs, Sub-sheriffs, Clerks of the Peace, Sheriffs' Messengers, Constables, Special Constables and other peace officers for keeping the peace at Elections, Stewards' bailiffs, Serjeants-at-Mace, Magistrates' clerks, Beadles, Criers and other Officers and persons employed at Elections, for receiving the writ of Election, and making the return thereto, and in respect of charges for the attendance at such Elections, and in respect of expenses incurred in coach-hire, tavern and other personal expenses for stationery and printing, and in other various matters incidental to and connected with the proceedings at Elections: AND whereas no Candidate ought to be subjected to any such demands; BE it therefore Enacted and Declared, That no Sheriff, Sub-sheriff, Clerk of the Peace, Assessor or other legal adviser of a Returning Officer, Constable or other Officer or person officially employed at any future Election of a Member or Members to serve in Parliament for any county in Ireland, shall demand or receive from any Candidate or any other person any gratuity, fee or reward, or any money, security or valuable thing whatsoever, for or in respect of any service or work performed, or to be performed, or pretended to have been performed at any such Election, either by himself or by any other person employed by or under his direction; nor shall any other person so employed by or under such directions demand or receive from any such Candidate, or any other person, any gratuity, fee or reward, or any money, security or valuable thing whatsoever, in respect of any service or work

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performed or to be performed at any such Election, save as in this Act mentioned; nor shall any of the Officers or persons aforesaid, or persons employed by or under the direction of any such Officer or other person aforesaid, demand or receive from any Candidate or any other person any money, security or valuable thing whatsoever, for goods supplied or to be supplied, or pretended to have been supplied, or for or in respect of any money advanced or paid, or to be advanced or paid, or pretended to have been advanced or paid, or for or in respect of any expenses or liabilities incurred or to be incurred, or pretended to have been incurred, in, about or relating to any such Election, or any proceeding thereat; nor shall any Candidate or person acting as the agent of any Candidate, or any other person in that behalf, either voluntarily, or at the demand or request of any other person, give, pay or deliver any such gratuity, fee, reward, money, security or other valuable thing for or in respect of any such service or work performed or to be performed, or pretended to have been performed, goods supplied or to be supplied, or pretended to have been supplied, money advanced or paid, or pretended to have been advanced or paid, expenses or liability incurred or to be incurred, or pretended to have been incurred, respectively, in, about or relating to any such Election or proceeding thereat; and any such Officer or other person as aforesaid, or person employed by or under the direction of any such Officer or other person aforesaid, who shall demand or receive from any Candidate or any other person any such gratuity, fee, reward, money, security or other valuable thing, for or in respect of any such service or work performed or to be performed, or pretended to have been performed, goods supplied or to be supplied, or pretended to have been supplied, money advanced or paid or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred, or pretended to have been incurred, respectively, in, about or relating to any such Election, or any proceeding thereat, save as in this Act mentioned; or any Candidate or person acting for or as the agent of any Candidate in that behalf, who shall voluntarily, or at the demand or request of any other person, give, pay or deliver any such gratuity, fee, reward, money, security or other valuable thing for or in respect of any such service or work performed or to be performed, or pretended to have been performed, goods supplied or to be supplied, or pretended to have been supplied, money advanced or paid or to be advanced or paid, or pretended to have been advanced or paid, expense or liability incurred or to be incurred, or pretended to have been incurred, respectively, in, about or relating to any such Election or proceeding thereat, save as aforesaid, shall forfeit and pay *Treble* the value of every such gratuity, fee, reward, sum of money, security or other valuable thing so demanded, received, paid or delivered, to any person who shall sue for the same in any of

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of His Majesty's Courts of Record at Dublin: Provided always, That no such action shall be commenced after the period of *Two* Years shall have elapsed from the time of such demand, receipt, payment or delivery.

13. Seat voided by payment of illegal Expenses.

5 And be it Enacted, That if any person who shall be hereafter returned to serve in Parliament for any county in Ireland shall either voluntarily, or at the request of any other person, give, pay or deliver, or cause to be given, paid or delivered, any gratuity, fee, reward, money, security or valuable thing whatsoever, contrary to 10 any of the provisions in this Act in that behalf contained, the return of such person shall be and the same is hereby declared to be void.

14. Certified copies of the Register of Voters to be prepared for each Booth.

And be it Enacted, That the Sheriff shall, before the day fixed for the Election, cause to be made for the use of each booth or other 15 polling-place at such Election, a true copy of the register of voters, and shall under his hand certify every such copy to be true.

15. Deputies empowered to administer Oaths and Affirmations.

And be it Enacted, That every Deputy of a Sheriff shall have the same power of administering the oaths and affirmations required by law, as the Sheriff or any other Returning Officer now has by 20 this or any other Act, and subject to the same regulations and provisions in every respect.

16. All Election Laws to remain in force, except when altered by this Act.

And be it Enacted, That all laws, statutes and usages now in force respecting the Election of Members to serve in Parliament for Counties in Ireland shall be and remain in full force, and shall 25 apply to the Districts and Places for taking the Poll appointed by this Act as fully and effectually as if the same respectively had been herein re-enacted and set forth; except so far as any of the said laws, statutes or usages are altered by this Act, or are inconsistent with the provisions thereof.

17. Penalty on Sheriff or others for breach of duty.

30 And be it Enacted, That if any Sheriff or any person whatsoever shall wilfully contravene or disobey the provisions of this Act or any of them, with respect to any matter or thing which such Sheriff or other person is hereby required to do, he shall for such his offence be liable to be sued in an action of debt in any of His 35 Majesty's Courts of Record at Dublin, for the penal sum of *Five hundred* Pounds, and the Jury before whom such action shall be tried may find their verdict for the full sum of *Five hundred* Pounds, or for any less sum which the said Jury shall think it just that he should pay for such his offence; and the Defendant in such action, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same: Provided always, That no such action shall be commenced after the period of *Six* calendar

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Months shall have elapsed from the time that such offence was committed, and that no such action shall be brought, except by a person being an elector, or claiming to be an elector, or a Candidate or a Member actually returned, or other party aggrieved : Provided also, That the remedy hereby given against the Sheriff shall not be construed to supersede any remedy or action against him, according to the law now in force. 5

18. Writs, &c. to be conformable to this Act.

And be it Enacted, That all Writs to be issued for the Election of Members to serve in all future Parliaments, and all mandates, precepts, instruments, proceedings and notices consequent upon such Writs, shall be and the same are hereby authorized to be framed and expressed in such manner and form as may be necessary for the carrying the provisions of this Act into effect. 10

19. In case of a dissolution of Parliament before Polling Districts shall be settled, then the Poll to be taken as if this Act had not passed.

And be it Enacted, That if a dissolution of the present Parliament shall take place after the *passing of this Act*, and before the Districts for Polling shall be assigned, under the provisions of this Act, to the Polling-places mentioned in the Schedule to this Act annexed, then and in such case the Poll shall be taken at any Election of a Knight or Knights of the Shire to serve in a new Parliament in like manner as if this Act had not been passed; any thing hereinbefore contained to the contrary notwithstanding. 15 20

20. Act may be amended this Session.

Provided always, and be it Enacted, That this Act may be amended or altered by any Act or Acts to be passed during this present Session of Parliament.

SCHEDULE

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SCHEDULE

To which this ACT refers.

COUNTIES.	POLLING-PLACES.	
Antrim - -	Ballycastle, Ballymony, Cushendall, Clogh, Glenarm, Ballymena, Broughshane,	Ballynure, Antrim, Belfast, Carrickfergus, Lisburn, Randalstown.
Armagh - -	Lurgan, Portadown, Charlemont, Tanderagee,	Armagh, Tynan, Newtownhamilton, Newry.
Carlow - -	Carlow, Hacketstown,	Tullow.
Cavan - -	Swadlinbar, Ballyconnel, Killeshandra, Belturbet,	Cavan, Ballyjamesduff, Bailieborough.
Clare - -	Kilfenora, Crusheen, Ennis,	Killaloe, Newmarket, Kilrush.
Cork - -	Liscarrol, Newmarket, Kanturk, Doneraile, Castletown Roche, Fermoy, Charleville, Mallow,	Millstreet, Rathcormuck, Cork, Middleton, Kinsale, Bantry, Skibbereen.
Donegal -	Raphoe, Letterkenny, Newtown Conyngham, Moville, Stranorlar,	Asdare, Lifford, Donegal, Killybeggs, Ballyshannon.

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COUNTIES.	POLLING-PLACES.	
Down - -	Kircubbin,	Killyleagh,
	Bangor,	Ballynahinch,
	Newtownards,	Dromore,
	Donaghadee,	Banbridge,
	Saintfield,	Rathfriland,
	Downpatrick,	Newry,
	Hillsborough,	Castlewellan.
Dublin - -	Balbriggan,	Dublin,
	Lusk,	Ballymore-eustace,
	Swords,	Lucan,
	Finglass,	Kingstown.
	Howth,	
Fermanagh -	Churchill,	Newtownbutler,
	Tempo,	Enniskillen.
	Maguire's-bridge,	
Galway - -	Headford,	Eyrecourt,
	Dunmore,	Athenry,
	Tuam,	Loughrea,
	Ballinamore,	Portumna,
	Castleblakeney,	Gort,
	Clare Galway,	Oughterard,
	Galway,	Clifden.
	Ballinasloe,	
Kerry - -	Listowell,	Cahirciveen,
	Tralee,	Killarney,
	Castle-Island,	Kenmare,
	Dingle,	Milltown.
Kildare - -	Celbridge,	Johnstown-bridge,
	Naas,	Athy,
	Rathangan,	Maynooth,
	Kildare,	Castledermot.
Kilkenny -	Ballyragget,	Thomastown,
	Kilkenny,	Kells,
	Johnstown,	Castlecomer.
King's County	Edenderry,	Clara,
	Philipstown,	Shannonbridge,
	Tullamore,	Frankford,
	Portarlington,	Ferbane,
	Birr,	Dunkerrin.
	Banagher,	

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COUNTIES.	POLLING-PLACES.	
LEITRIM - -	Manorhamilton, Drumkeirn, Leitrim, Ballynamore,	Carrick-on-Shannon, Mohill, Drumsna, Kinlough.
LIMERICK -	Limerick, Abingdon, Shanagolden,	Adare, Rathkeale, Bruff.
LONDONDERRY -	Coleraine, Newtownlimavaddy, Dungiven, Londonderry,	Garvagh, Magherafelt, Moneymore.
LONGFORD -	Granard, Longford, Edgeworthstown,	Lanesborough, Ballymahon.
LOUTH - -	Carlingford, Dundalk, Ardee,	Dunleer, Drogheda.
MAYO - -	Killala, Ballina, Crossmolina, Swinford, Claremorris, Ballyhannis,	Castlebar, Westport, Ballinrobe, Ballaghderreen, Belmallet, Newport.
MEATH - -	Nobbor, Kells, Slane,	Navan, Duleek, Trim.
MONAGHAN -	Monaghan, Tullycorbet, Ballibay,	Castleblayney, Carrickmacross.
QUEEN'S COUNTY	Mount-mellick, Maryborough, Abbey Leix, Rathdowney,	Stradbally, Mountrath, Ballickmoyler.
ROSCOMMON -	Boyle, Frenchpark, Castlerea, Elphin,	Roscommon, Athlone, Athleague, Strokestown.
SLIGO - -	Sligo, Coloony, Easky,	Coolanney, Ardnaree, Ballymote.

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COUNTIES.	POLLING-PLACES.	
TIPPERARY -	Burresokeane, Nenagh, Templemore, Thurles,	Cashel, Tipperary, Clonmell.
TYRONE - -	Strabane, Newtownstewart, Sixmilecross, Caledon, Omagh,	Stewartstown, Dungannon, Aughnacloy, Clogher, Fintona.
WATERFORD -	Waterford, Kilmacthomas, Lismore,	Cappoquin, Dungarvan, Clashmore.
WESTMEATH -	Castlepollard, Castletowndelvin, Mullingar,	Ballymore, Kinnegad.
WEXFORD -	Gorey, Ferns, Enniscorthy, Wexford, New Ross,	Camolin, Newtownbarry, Bannow, Taghmon.
WICKLOW - -	Blessington, Newtown Mt Kennedy, Wicklow, Rathdrum,	Tinehaly, Arklow, Baltinglass.

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County Polls (Ireland).

A

B I L L

For rendering more easy the taking the Polls
at County Elections in Ireland.

(*Prepared and brought in by*
Mr. French and Mr. Jephson.)

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1837.

299.

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